

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CLOUDING IP, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 13-1455 (LPS)
	)	
EMC CORPORATION, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**DEFENDANTS EMC CORP., EMC INTERNATIONAL U.S. HOLDINGS, INC.  
AND VMWARE, INC.'S MOTION TO DISMISS FOR LACK OF STANDING**

Defendants EMC Corp., EMC International U.S. Holdings, Inc. and VMware, Inc.

("Defendants") hereby respectfully move, pursuant to Federal Rule of Civil Procedure 12(b)(1), to dismiss the Complaint for lack of standing. The grounds for this motion are fully set forth in the accompanying opening brief.

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December 20, 2013

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FOR THE DISTRICT OF DELAWARE

CLOUDING IP, LLC,	)	
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Plaintiff,	)	
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v.	)	C.A. No. 13-1455 (LPS)
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EMC CORPORATION, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**[PROPOSED] ORDER**

Defendants EMC Corp., EMC International U.S. Holdings, Inc. and VMware, Inc. (“Defendants”) move pursuant to Federal Rule of Civil Procedure 12(b)(1) to dismiss the Complaint for lack of standing (“Motion”). Having considered the papers in support of and in opposition to Defendants’ Motion, and the parties’ oral argument thereon, and the Court having found good grounds for the requested relief,

IT IS HEREBY ORDERED that Defendants’ Motion to Dismiss for Lack of Standing is GRANTED.

Dated: \_\_\_\_\_, 2014

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on December 20, 2013, upon the following in the manner indicated:

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